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AZ CORP COMMISSION
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IN THE MATTER OF THE GENERIC
PROCEEDING CONCERNING ELECTRIC
RESTRUCTURING ISSUES.

DOCKET NO. E-00000A-02-0051

IN THE MATTER OF THE GENERIC
PROCEEDING CONCERNING THE
ARIZONA INDEPENDENT SCHEDULING
ADMINISTRATOR.

DOCKET NO. E-00000A-01-0630

**INITIAL POST-HEARING BRIEF OF
ARIZONA PUBLIC SERVICE COMPANY**

Pursuant to the direction of the Administrative Law Judge in the above-captioned matter, Arizona Public Service Company ("APS" or "Company") hereby submits its Initial Post-Hearing Brief.

I. INTRODUCTION

In its Track A Order, Decision No. 65154 (September 10, 2002), the Arizona Corporation Commission ("Commission"), noting its "interest in . . . affiliate wholesale purchases used to serve Arizona retail customers," directed APS to submit modifications to its then-existing Code of Conduct (the "2000 Code of Conduct"). Decision No. 65154, at 25, 34. The revised Code of Conduct, filed by APS in November 2002, addressed APS's interactions with all of its competitive electric affiliates, not just retail Electric Service Provider ("ESP") affiliates. Staff submitted a Report that addressed APS's

1 proposed modifications on August 13, 2003. The Staff Report suggested changes to
2 APS's November 2002 Code of Conduct, including changes in response to the Track B
3 competitive solicitation, in which an APS affiliate had participated. A hearing on APS's
4 Code of Conduct was scheduled for November 2003. In light of the then-pending APS
5 rate case, which included APS's proposal to rate base the Pinnacle West Energy
6 Corporation ("PWEC") Arizona assets, the Administrative Law Judge issued a
7 procedural order on October 3, 2003 that postponed the hearing until after the
8 Commission's decision in the APS rate case.

9 The Commission issued its final decision in APS's rate case in Decision No.
10 67744 (April 7, 2005). A procedural conference was held in this docket held on April 27,
11 2005 establishing a new schedule for submitting the Proposed Code of Conduct. APS
12 sought comments on its draft Proposed Code of Conduct from a variety of parties,
13 including Staff, the Residential Utility Consumers Office, Tucson Electric Power, Panda
14 Gila River, and the Arizona Competitive Power Alliance, and revised certain provisions
15 based on comments from these parties. That Proposed Code of Conduct was filed with
16 the Company's Direct Testimony.

17 In addition to the revisions that APS made in response to the input from various
18 parties prior to filing its Direct Testimony, APS modified its Proposed Code of Conduct
19 in response to Staff's Direct Testimony. That modified Proposed Code of Conduct was
20 filed with the Company's Rebuttal Testimony. The evidentiary hearing in this docket
21 was held on November 14, 2005.

II. DISCUSSION

A. *The Proposed Code of Conduct Protects Customers and Facilitates the Competitive Market*

The Proposed Code of Conduct, as modified, “improves upon the Code of Conduct previously recommended by Staff in its 2003 Staff Report by being reorganized and simplified.” (Direct Testimony of Barbara Keene, at 3; *see also* Direct Testimony of Jeff Guldner, at 3.) The Proposed Code of Conduct retains all of the provisions included in the 2000 Code of Conduct to protect retail customers and retail competition, addresses each of the specific requirements set forth in Rule 1616, and incorporates the provisions required by the Track A and Track B Orders to facilitate wholesale competition. (Direct Testimony of Jeff Guldner, at 4, 7; Direct Testimony of Barbara Keene, at 3.) The Track A and Track B requirements are addressed in a new, separate section of the Code of Conduct that also incorporates the procurement related provisions set forth in Decision No. 67744, including the Secondary Procurement Protocols. (Direct Testimony of Jeff Guldner, at 4.) As a result, the Proposed Code of Conduct “promote[s] a level playing field in both the retail and wholesale competitive markets by maintaining a separation between the utility and its competitive affiliates and by preventing cross-subsidization between the utility and its competitive affiliates.” (Direct Testimony of Barbara Keene, at 2; *see also* Direct Testimony of Jeff Guldner at 4.)

B. *There Is General Consensus on the Key Provisions of the Code of Conduct*

As a result of the modifications APS made in response to comments from the various stakeholders and adopted in response to Staff’s testimony during the evidentiary hearing, APS believes that there now is general consensus on the language of the

1 Proposed Code of Conduct. Accordingly, APS has attached its Proposed Code of
2 Conduct to this Initial Post-Hearing Brief at Attachment 1.

3 More specifically, APS believes that there is no dispute on the following aspects
4 of the Proposed Code of Conduct:

- 5 • The Proposed Code of Conduct permits the provision of corporate governance
6 services by Pinnacle West Capital Corporation ("Pinnacle West") to APS, as
7 well as pass-through transactions such as the payment of dividends by APS to
8 its parent, Pinnacle West. (Tr. at 63-64 [Keene]; Direct Testimony of Barbara
9 Keene, at 4; Rebuttal Testimony of Jeff Guldner, at 5.)
- 10 • Physical separation between APS and Pinnacle West is not required under the
11 Proposed Code of Conduct given that all of the services Pinnacle West
12 provides are shared services. (Direct Testimony of Jeff Guldner, at 6; Tr. at
13 63-64 [Keene].)
- 14 • Shared Services may be provided either by APS or by Pinnacle West. Shared
15 Services personnel will be required to execute an affidavit stating that he or
16 she will not be a conduit for improperly sharing information, and such
17 affidavit may be in the form of an electronic acknowledgement that is
18 approved by Staff. (Rebuttal Testimony of Jeff Guldner, at 3; Tr. at 62-62
19 [Keene].)
- 20 • Risk and insurance management and energy risk management employees may
21 provide Shared Services as long as such shared employees are not Operating
22 Employees as defined in the Code of Conduct. (Direct Testimony of Barbara
23 Keene, at 7; Rebuttal Testimony of Jeff Guldner, at 6-9.)
- 24
- 25
- 26

- Staff's proposed definition of "Operating Employees" as set forth during the hearing should be incorporated into the Code of Conduct:

"Operating Employees" means employees, contractors, consultants, or agents who have day-to-day duties and responsibilities for planning, directing, organizing, or carrying out energy-related operations. Operating employees include, but are not limited to, generation employees, transmission employees and distribution employees. Operating Employees do not include employees performing support services in the areas specifically identified in the definition of Shared Services. This is not intended to preclude APS from providing trading desk services to Pinnacle West as long as the same employees do not provide the same service for both entities.

(Tr. at 59 [Keene].)

- The Law Department is an appropriate Shared Service that may represent both APS and a Competitive Electric Affiliate, provided a single attorney does not represent both entities in an arm's length transaction. (Rebuttal Testimony of Jeff Guldner, at 3; Direct Testimony of Barbara Keene, at 9-10.)
- APS may provide Confidential Customer Information to others only upon the customer's prior written authorization. (Direct Testimony of Barbara Keene, at 10, 12; Rebuttal Testimony of Jeff Guldner, at 3.)
- If a Competitive Electric Affiliate were to participate in a Competitive Procurement, an independent monitor selected by Staff would be required.
- Those reports required to be filed with the Commission pursuant to the Proposed Code of Conduct will be made available to the public. (Direct Testimony of Barbara Keene, at 12; Rebuttal Testimony of Jeff Guldner, at 3.)

1
2 C. *Pinnacle West Capital Corporation Should Not be Considered a
3 Competitive Electric Affiliate*

4 One of the few remaining issues is whether Pinnacle West should be considered a
5 Competitive Electric Affiliate. Pinnacle West does not market power to APS for its
6 native load, although it does transact in wholesale markets. (Tr. at 12 [J. Guldner];
7 Direct Testimony of J. Guldner at 8; Rebuttal Testimony of J. Guldner at 4.) It was the
8 marketing of power from an affiliate to an electric utility for its retail load that prompted
9 the Commission to order investor owned utilities to expand their codes of conduct to
10 address wholesale issues. In Decision No. 65154, the Commission specifically noted
11 that "[a]ny investor owned utility that wants to purchase power [or that already had
12 purchased power] from an affiliate ... must file a Code of Conduct for Commission
13 approval" Decision No. 65154, at 16. Based on this language, Pinnacle West
14 should not be considered a Competitive Electric Affiliate.

15 **III. REQUEST FOR CLARIFICATION**

16 APS's 2000 Code of Conduct currently is in effect. That 2000 Code of Conduct
17 includes certain reporting requirements. The Proposed Code of Conduct incorporates the
18 reporting requirements from the 2000 Code of Conduct and adds a requirement for APS
19 to report transfers between APS and its Competitive Electric Affiliates of employees at
20 the manager level or above. See Attachment 1, Proposed Code of Conduct, Part Two,
21 Section VIII. To avoid duplicative reporting requirements, APS requests that the final
22 order in this matter clarify that the 2000 Code of Conduct is no longer in effect and is
23 superseded by the order in this docket. Such a clarification will eliminate any potential
24 confusion regarding the reporting obligations for the Company.
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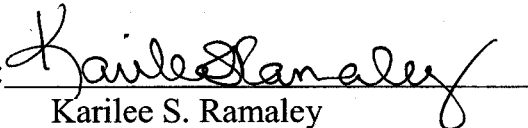
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IV. CONCLUSION

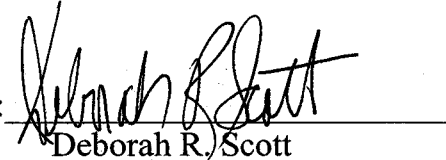
APS believes that the Code of Conduct attached to this Initial Post-Hearing Brief reflects language satisfactory to both APS and Staff and should be approved by the Commission. The attached Code of Conduct incorporates the key provisions from the 2000 Code of Conduct, the elements specified in Rule 1616, and the requirements regarding competitive procurement set out in Commission Decision No. 67744. The Code of Conduct as written will facilitate training throughout the Company because it will be easier for employees to understand. At the same time, it retains all of the necessary protections for retail and wholesale competition.

RESPECTFULLY SUBMITTED this 12th day of December, 2005.

PINNACLE WEST CAPITAL
CORPORATION LAW DEPARTMENT

By: 
Karilee S. Ramaley

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Attorneys for Arizona Public
Service Company

1 The original and 15 copies of the
2 foregoing were filed this 12th day
of December, 2005 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington
Phoenix, AZ 85007.

6
7 Copies of the foregoing mailed, faxed or
transmitted electronically this
8 12th day of December, 2005 to:

9 All parties of record.

10  /sy jcl
11 Vicki DiCola
12 1763411.1

PROPOSED
CODE OF CONDUCT
FOR THE
ARIZONA CORPORATION COMMISSION

December 12, 2005

CODE OF CONDUCT FOR THE ARIZONA CORPORATION COMMISSION

Part One - - Definitions

"APS" means Arizona Public Service Company.

"Arms Length Transaction" means a transaction between or among parties, each of whom acts in its own interest and where the final decision on the transaction is not made by a single individual or group of individuals with direct management control or other authority over both parties.

"Commission" means the Arizona Corporation Commission.

"Competitive Electric Affiliate" means those affiliates of APS engaged in either Competitive Retail Services or Competitive Wholesale Services.

"Competitive Procurement" means a process by which power is procured by APS.

"Competitive Retail Affiliate" means any affiliate of APS that is engaged in Competitive Retail Services within this state and is an Electric Service Provider.

"Competitive Retail Services" means unbundled generation, unbundled metering, unbundled meter reading, and other retail electric services that have been determined to be competitive services by the Commission.

"Competitive Wholesale Services" means the provision of energy products or services to the wholesale electric market.

"Confidential Customer Information" means any non-public customer-specific information obtained by APS as a result of providing Noncompetitive Services. Confidential Customer Information also includes non-public customer-specific information obtained by APS from customers of special districts and public power entities on behalf of such special districts and public power entities.

"Confidential Information" means Confidential Customer Information and any other nonpublic information regarding Competitive Retail Services or Competitive Wholesale Services obtained solely through the provision of Noncompetitive Services or in a Competitive Procurement process. Confidential Information shall not include information that is otherwise available to non-affiliated third parties or information necessary for a Competitive Electric Affiliate to provide or receive Shared Services.

"Distribution Information" means information about available distribution capacity, transmission access, and curtailments.

"Electric Service Provider" means an entity authorized by a Certificate of Convenience and Necessity to provide Competitive Retail Services in Arizona.

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“Extraordinary Circumstance” means any situation that requires APS to act in a manner contrary to this Code of Conduct to ensure the reliability of APS’ system, or ensure the safety of employees or the public, or to respond to any other emergency where such action is required.

“FERC” means the Federal Energy Regulatory Commission.

“Noncompetitive Services” means unbundled distribution service, Standard Offer Service and other services that have been determined to be noncompetitive services by the Commission.

“Operating Employees” means employees, contractors, consultants, or agents who have day-to-day duties and responsibilities for planning, directing, organizing, or carrying out energy-related operations. Operating employees include, but are not limited to, generation employees, transmission employees and distribution employees. Operating employees do not include employees performing support services in the areas specifically identified in the definition of Shared Services. This is not intended to preclude APS from providing trading desk services to Pinnacle West as long as the same employees do not provide the same service for both entities.

“Pinnacle West” means Pinnacle West Capital Corporation.

“Policies and Procedures” means those policies and procedures developed by APS to implement this Code of Conduct.

“Shared Services” means those support services provided by Pinnacle West or any of its affiliates, including but not limited to; human resources; accounting; corporate governance; tax; insurance; risk and insurance management, claims services, and public safety; energy risk management; audit services; contract management; information and communication technology; communications; environmental, health and safety; regulatory services; system dispatch; transportation; security; facilities; shareholder services; law and business practices; public affairs; and enterprise finance.

“Standard Offer Service” means the bundled provision of retail electric service.

“Third Party” means any Electric Service Provider or market participant other than a Competitive Retail Affiliate that may lawfully provide Competitive Retail Services in Arizona.

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Part Two - - Basic Principles

I. Applicability of Code of Conduct

- A. The Code of Conduct applies to APS and its interactions with its Competitive Electric Affiliates, unless an Extraordinary Circumstance excuses compliance.
- B. Regardless of any provision in this Code of Conduct, in an Extraordinary Circumstance APS may take whatever steps are necessary to ensure the reliability of APS' system, to protect the public interest, or to ensure safety for employees and the public. APS shall notify the Commission within 24 hours of or the next business day after an Extraordinary Circumstance and shall post on a public website a description of the Extraordinary Circumstance and the actions taken by APS.

II. No Discrimination in Service

APS shall not give preferential treatment to its Competitive Electric Affiliates and shall treat affiliated and non-affiliated entities in a nondiscriminatory manner in providing service.

III. Confidential Information

- A. APS shall not provide Confidential Customer Information to any Competitive Electric Affiliate or a Third Party without the customer's prior written authorization, which would include a printed version of an electronic authorization. Such information may be provided only to the extent specifically authorized.
- B. APS shall not provide Confidential Information to a Competitive Electric Affiliate unless such information is also made available to Third Parties under similar terms and conditions. This restriction shall not apply to Confidential Customer Information provided with the customer's prior authorization.
- C. If Confidential Customer Information is properly requested by a Third Party, APS shall not unreasonably delay or withhold the release of the requested Confidential Customer Information.

IV. Separation Requirements

- A. APS shall be a separate corporate entity from its Competitive Electric Affiliates.
- B. Unless otherwise permitted by the Code of Conduct, APS shall operate separately from its Competitive Electric Affiliates to the extent practical.
- C. APS shall keep separate books and records and shall keep accounting records that set forth appropriate cost allocations between APS and its Competitive Electric

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Affiliates, which shall be made available to the Commission in accordance with A.A.C. R14-3-804(A).

- D. APS and its Competitive Electric Affiliates may share equipment and facilities only in accordance with the functional separation requirements set forth in this Code of Conduct and the Policies and Procedures.
- E. APS and its Competitive Electric Affiliates shall not jointly employ the same employees, except that APS and its Competitive Electric Affiliates may utilize common officers and directors for corporate support, oversight, and governance. APS officers directly responsible for operational matters shall not serve as officers or directors of a Competitive Electric Affiliate. Common officers and directors shall not be utilized to circumvent the prohibition on providing Confidential Information to a Competitive Electric Affiliate, nor shall such common officers or directors be permitted to participate during the development or conduct of any Competitive Procurement process, or in any subsequent negotiations in which a Competitive Electric Affiliate employing the common officer or director participates as a bidder.
- F. Contracts for services accounted for in conformance with Part 2, Section V of this Code of Conduct shall not constitute prohibited joint employment if measures are taken to prevent the transfer of Confidential Information between APS, and any Competitive Electric Affiliate.
- G. APS and its Competitive Electric Affiliates may utilize Shared Services in accordance with Part 2, Section V of this Code of Conduct, but Shared Services shall not act as conduit for Confidential Information to Competitive Electric Affiliates. Each shared service employee shall be required to acknowledge, either in writing or electronically, that he or she will not be a conduit for improperly sharing Confidential Information. Operating Employees cannot provide Shared Services nor shall a shared attorney represent both APS and a Competitive Electric Affiliate in a transaction.

V. Transfers of Goods and Services

- A. APS shall not subsidize its Competitive Electric Affiliates through any rates or charges for Noncompetitive Services and, except as otherwise provided below, all transactions between APS and its Competitive Electric Affiliates shall be Arm's Length Transactions.
- B. Shared Services may be provided by APS to its Competitive Electric Affiliates, and such services shall be accounted for in accordance with the Policies and Procedures.
- C. APS may acquire Shared Services from Pinnacle West and such services shall be accounted for in accordance with the Policies and Procedures.

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- D. Any services provided by APS or its Competitive Electric Affiliates that are subject to a filed tariff shall be provided at the rates and under the terms and conditions set forth in the tariff, unless an exception is permitted by the governing body with jurisdiction over such tariff. APS shall not be required to charge its Competitive Electric Affiliates more than its authorized tariff rate for any Noncompetitive Service.
- E. If APS sells to its Competitive Electric Affiliates non-tariffed goods or services, the transfer price shall be the higher of cost or market.
- F. If APS' Competitive Electric Affiliates sell to APS non-tariffed goods or services, the transfer price shall be at a price not to exceed market.

VI. Compliance, Dissemination and Education

- A. Compliance with the Code of Conduct is mandatory.
- B. The failure or refusal of an employee of APS or its affiliates to abide by or to act according to the Code of Conduct or the Policies and Procedures may subject the employee to disciplinary action, up to and including discharge from employment.
- C. Copies of this Code of Conduct shall be provided to employees and agents of APS and its Competitive Electric Affiliates that are likely to be engaged in activities subject to the Code of Conduct.
- D. A copy of the Code of Conduct shall be made available to all employees of APS and its Competitive Electric Affiliates on the corporate Intranet site.
- E. Training on the provisions of the Code of Conduct and its implementation shall be provided to the employees of APS and its Competitive Electric Affiliates and those authorized agents of APS and its Competitive Electric Affiliates that are likely to be engaged in activities subject to the Code of Conduct
- F. Any activity that would constitute engagement in unlawful anticompetitive behavior shall constitute a violation of this Code of Conduct.
- G. APS shall provide a means for employees to raise questions and report concerns regarding this Code of Conduct.

VII. Modifications to the Code of Conduct or Policies and Procedures

- A. APS may request modifications to the Code of Conduct by filing an application with the Commission. The application shall set forth the proposed modifications and the reasons supporting them.
- B. APS may not make and implement any material change to the Policies and Procedures, including modifications to allocation methods or the direct and indirect allocators used in the Policies and Procedures, without filing an update

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with the Commission or its designee. Once notification is made by APS of an intended modification, if no action is taken by the Commission or its designee within 30 days of its filing, the modification shall be deemed approved.

VIII. Reporting Requirements

APS shall submit the following information to the Commission on an annual basis each April 15th, which shall be available to the public:

- A. A list of all Extraordinary Circumstances that explains the nature, cause and duration of each incident.
- B. A report summarizing the charges associated with all non-tariffed transactions between APS and its Competitive Electric Affiliates, with the associated charges reported separately for each Competitive Electric Affiliate and for each category of service.
- C. A report detailing (i) how many non-Standard Offer Service customers were provided metering services or meter reading services and (ii) how many Electric Service Providers received consolidated billing services from APS.
- D. A report identifying all transfers between APS and its Competitive Electric Affiliates of employees at the manager level or above.

IX. Dispute Resolution

To the extent permitted by law, complaints concerning violations of this Code of Conduct shall be processed under the procedures established in A.A.C. R14-2-212.

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Part Three - - Retail Electric Competition

I. Non-Discrimination

- A. If a retail tariff provision allows for discretion in its application, APS shall apply that provision in a non-discriminatory manner between its Competitive Retail Affiliates and Third Parties and their respective customers.
- B. APS shall process requests for service by Competitive Retail Affiliates and Third Parties and their respective customers in the same manner and within the same time period.
- C. APS shall offer access to Distribution Information to its Competitive Retail Affiliates and Third Parties concurrently and under the same material terms and conditions.

II. Consolidated Billing and Promotions within the Bill Envelope

- A. If APS includes charges for Competitive Retail Services in its bills for Noncompetitive Services, APS shall offer the same service to any Third Party on the same material terms and conditions.
- B. This provision shall not prevent a Competitive Retail Affiliate or any Third Party from including amounts due for Noncompetitive Services in its own consolidated billing statement if authorized by the customer.
- C. If APS includes with its bills for Noncompetitive Services advertising or promotional materials from its Competitive Retail Affiliate, APS shall offer the same service to any Third Party on the same material terms and conditions.

III. Company Contact Information

Telephone numbers and websites used by APS for the provision of Noncompetitive Services shall be different from those used by its Competitive Retail Affiliates.

IV. Prohibition on Suggestion of Utility Advantage

- A. APS shall not state in any advertising, promotional materials, or sales efforts that a consumer who purchases services from APS' Competitive Retail Affiliates will receive preferential treatment in the provision of Noncompetitive Services or have any other advantage regarding the provision of Noncompetitive Services nor may APS require the purchase of any Competitive Electric Service from APS' Competitive Retail Affiliates as a condition to providing Noncompetitive Services.
- B. The name or logo of APS as a utility distribution company shall not be used in promotional advertising material circulated by a Competitive Retail Affiliate.

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- C. APS personnel shall not state to any retail customer or potential retail customer a preference for any Competitive Electric Service provided by APS' Competitive Retail Affiliates or any Third Party.
- D. APS shall either direct Customers who inquire about Competitive Retail Services to the Commission for a list of Electric Service Providers or may provide such customers with a copy of the current Commission list of such providers. APS and its employees may not state any recommendation or preference or otherwise attempt to influence a potential customer in their choice of an Electric Service Provider.
- E. APS may not enter into special contracts which provide generation service at a discount to Standard Offer Service customers without the express authorization of the Commission.

V. Joint Marketing

APS and its Competitive Retail Affiliate shall not jointly market their respective retail services.

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Part Four - Competitive Procurement

I. Applicability

- A. These Competitive Procurement principles shall apply to wholesale acquisition of energy, capacity and physical hedge transactions for APS Standard Offer Service customers.
- B. These Competitive Procurement principles do not apply in cases of emergencies or for short-term acquisitions to maintain system reliability, nor unless otherwise stated, to transactions to satisfy APS' obligations under the Commission's Environmental Portfolio Standard and Demand Side Management programs.

II. Acceptable Procurement Methods

- A. Purchases through third party, on-line trading systems, including but not limited to the Intercontinental Exchange, Bloomberg, California Independent System Operator, New York Mercantile Exchange or other similar on-line third party systems.
- B. Purchases from qualified, third party, independent energy brokers.
- C. Purchases from non-affiliated entities through auctions or a request for proposals process administered by APS.
- D. Bilateral contracts with non-affiliated entities.
- E. Bilateral contracts with affiliated entities, provided that if APS proposes to procure energy or capacity from an affiliate through a bilateral contract APS will provide, through its Competitive Procurement Website, non-affiliated entities an opportunity to beat any proposed contract before executing the transaction.
- F. Any other Competitive Procurement process approved by the Commission.

III. Participation of Competitive Electric Affiliate

- A. APS shall not give preferential treatment to its Competitive Electric Affiliates in any Competitive Procurement or in the procurement of Demand Side Management or Environmental Portfolio Standard resources.
- B. If a Competitive Electric Affiliate participates as a bidder in a Competitive Procurement request for proposals or auction process, an independent monitor selected by Staff will oversee the process.
- C. If a Competitive Electric Affiliate participates as a bidder in a Competitive Procurement, APS shall keep detailed records of any and all contacts with the Competitive Electric Affiliate, including employees and contractors, regarding the Competitive Procurement for the life of the contract plus five years.

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- D. If a Competitive Electric Affiliate participates as a bidder in a Competitive Procurement, personnel involved in the preparation of a Competitive Electric Affiliate's bid in the solicitation process shall not have contact with personnel conducting the solicitation or advising APS in the solicitation concerning any business matter related to the Competitive Procurement except as provided below.
- E. The content of any communication between a Competitive Electric Affiliate that is a bidder in a Competitive Procurement and APS personnel (including contractors and agents) conducting the Competitive Procurement must be contemporaneously posted on the Competitive Procurement Website. A Competitive Electric Affiliate may, however, attend bidders' conferences and other public meetings regarding a Competitive Procurement.
- F. Copies of all bilateral power contracts between APS and Competitive Electric Affiliates shall be retained by APS for a minimum of the life of the contract plus five years.